

# City Commission of Arkansas City Meeting Minutes

---

The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. Tuesday, May 3, 2016, in the Commission Room at City Hall, 118 W. Central Ave., in Arkansas City.

Mayor Duane Oestmann called the meeting to order. Those present at roll call were Mayor Oestmann, Commissioner Dan Jurkovich, Commissioner Charles Tweedy III and Commissioner Jay Warren. Commissioner Chad Giles was absent.

Also present at roll call were City Manager Nick Hernandez, City Attorney Tamara Niles, Public Information Officer Andrew Lawson, Finance Director Kathy Cornwell, Fire Chief Bobby Wolfe, Police Chief Dan Ward, Assistant Public Works Director Mike Crandall, Neighborhood Services Superintendent Richard Brown and Human Resources Manager Marla McFarland.

The City-Cowley County Health Department was represented by Tom Langer, administrator and public health officer, and board members Mary Benton and Bob Mathews. The Arkansas City Music and Dramatics Club was represented by president Sherry Baxter, vice president Darlene Patterson and her husband, Duane Patterson.

Citizens in attendance included Albert Brown, Ken Harader, Jeni McGee and Traveler reporter Cody Griesel.

Pastor Mark Fry offered the opening prayer. Mayor Oestmann led the pledge of allegiance.

## **Agenda Additions/Deletions and Approval**

Mayor Oestmann requested the addition of New Business Item 4, a resolution expressing support for the SCKMC sales tax proposal and the medical center's administration.

Commissioner Tweedy moved to amend the agenda as requested and approve it. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the agenda amended and approved.

## **Recognition of Visitors**

Tom Langer gave an annual report on the 2015 activities of the City-Cowley County Health Department. He said the department's main mission is to prevent disease, promote healthy living and protect the populace's health.

He said heart disease, cancer and respiratory disease are the leading causes of death in Cowley County, while the leading non-disease causes of death are accidents and traffic-related injuries.

Langer said the cities of Arkansas City and Winfield, as well as the county, contributed \$374,500 to its mission last year, or \$10.47 per county resident. CCCHD leveraged that into an additional \$362,000 from the state.

He said the department's nutrition program put \$800,000 into the local economy in the form of direct assistance to needy families to buy groceries and other needed items.

Langer said he is dedicated to reducing Cowley County's 38-percent obesity rate, 21-percent smoking rate and 11-percent diagnosed diabetes rate, while increasing safety for adults and children while driving.

# City Commission of Arkansas City Meeting Minutes

---

Commissioner Warren asked Langer how many patients the department sees. Langer said it has approximately 20,000 interactions each year, which breaks down to around 10,000 individual patients throughout the county.

Commissioner Warren asked why more of those patients are seen in Winfield than in Arkansas City. Langer said he thought it was due to ease of access for residents in northern and eastern Cowley County.

Commissioner Jurkovich asked about the matching funds received by the department. Langer said it's required to show "maintenance of effort" in order to demonstrate that the county is committed to public health.

Commissioner Tweedy asked if the department had problems with slow payments from KanCare. Langer said there were many challenges, but he said the department was combating that by attention to details in billing.

Commissioner Warren asked what the normal turnaround was. Langer said it usually was within 30 to 60 days.

## **Awards and Proclamations**

Mayor Oestmann read a proclamation recognizing May 1-7, 2016, as Public Service Recognition Week in Arkansas City. Seven City employees came to the front to accept the proclamation and to be recognized.

Mayor Oestmann read a proclamation recognizing May 1-8, 2016, as National Music Week in Arkansas City. Sherry Baxter and Darlene Patterson accepted the proclamation on behalf of the Music and Dramatics Club.

Baxter said the group meets at 1:30 p.m. on the third Friday of each month, from September through May, at First United Methodist Church, 2448 Edgemont Drive. The group started in April 1922, Baxter said. She also promoted its annual spring recital concert and various displays around town promoting the group.

## **Consent Agenda**

Commissioner Warren made a motion to approve the consent agenda as presented, including the following:

1. Approving the April 5, 2016, revised regular meeting minutes and April 19, 2016, regular meeting minutes.
2. Approving updated Personnel Policies, Americans with Disabilities, Immigration Law Compliance, and Discrimination, Harassment and Retaliation personnel policies.
3. Ratifying Mayor Oestmann's appointments of Brian Mayfield and Leonard Mumford to the Building Trades Advisory Board.
4. Ratifying Mayor Oestmann's reappointments of Carl Mills to the Board of Zoning Appeals, Ruben Garcia and Gary Hale to the Northwest Community Center Advisory Board, Mike Munson to the Planning Commission, and Mark Bartlett, Dave Billings, Mike Hammel and Brian Lawrence to the Building Trades Advisory Board.

Commissioner Tweedy asked if the policy changes were due to federal requirements. Human Resources Manager McFarland said they were due to both federal and state laws, in order to keep everything consistent.

Commissioner Jurkovich asked about discrimination on the basis of genetic information. McFarland said no one can be discriminated against on the basis of pre-employment testing results or known family history of diseases.

# City Commission of Arkansas City Meeting Minutes

---

Commissioner Tweedy seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the consent agenda approved.

## **New Business**

### **Clearwell Backwash Pump**

Public Information Officer Lawson presented for discussion a resolution authorizing the City to contract with JCI to replace the clearwell backwash pump at the Water Treatment Facility, for an amount not to exceed \$42,104.

Assistant Public Works Director Crandall showed some pictures of the pump that is in need of replacement. It was installed in 2003 and there is no redundancy, so water production would be impossible if it were to fail.

Crandall said JCI would refurbish the pump and attempt to resell it on the City's behalf once the new water treatment plant comes online and the pump no longer is needed.

Commissioner Jurkovich asked if there was any idea what its resale value might be. Crandall did not know.

Commissioner Jurkovich asked if there was any way to wait two years, rather than replace the current pump with a brand-new unit that will be decommissioned 15 months later. Crandall said the City could chance it.

But if the current pump goes down, he reminded Commissioner Jurkovich, the City has no redundancy in place.

Commissioner Tweedy asked if the emergency lime-sludge removal by Veolia Corp. that was approved April 19 had anything to do with this issue. Crandall said no — the primary clarifier, which Veolia is cleaning, is used earlier in the treatment process than this particular piece of equipment, which backwashes four different bays.

Commissioner Jurkovich asked how long the City would have to obtain an emergency replacement if the new pump was not approved that night and the current pump fails. City Manager Hernandez said it could be anywhere from less than a day to two or three days, but no more than that.

Commissioner Jurkovich asked if staff had looked into the possibility of purchasing a refurbished pump instead of a new one. Crandall said no. Hernandez said he thought it might have to be custom-built, but he wasn't sure.

Commissioner Tweedy asked what the possibility was of the pump failing in the next few weeks. Crandall said he didn't know and Hernandez said he also didn't know how much lead time was required to make a new pump.

Commissioner Tweedy asked how long the bids were locked in. Hernandez said two weeks would be no problem.

Commissioner Warren made a motion to table the resolution until May 17. Commissioner Jurkovich seconded the motion. A voice vote was unanimous in favor. Mayor Oestmann declared the resolution tabled.

### **Federal Aid Fund Exchange Master Agreement**

Public Information Officer Lawson presented for discussion the Federal Aid Fund Exchange Master Agreement between Kansas Department of Transportation (KDOT) Secretary Michael King and the City.

# City Commission of Arkansas City Meeting Minutes

---

City Manager Hernandez said this was a housekeeping item to free up some federal exchange funds for road projects that are approved by the State of Kansas. He said he thought about \$375,000 was available at this time.

Hernandez said staff was looking at using a portion of those funds to replace the 15<sup>th</sup> Street bridge, north of Radio Lane, and on the resurfacing project on South Summit Street from the U.S. 77 bypass to the City limits.

Commissioner Tweedy asked if the latter project already was approved and Hernandez said that it was. He added that the 15<sup>th</sup> Street bridge project also has been approved by the State.

Commissioner Jurkovich made a motion to approve the master agreement. Mayor Oestmann seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved.

## **Study Session and Budget Retreat** **Resolution No. 2016-05-3031**

Public Information Officer Lawson presented for discussion a resolution authorizing a public meeting of the City Commission at noon May 13 for a study session to discuss City advisory boards and reorganization timelines.

City Manager Hernandez said Mayor Oestmann had asked to bring back study sessions on specific topics. He said he wanted commissioners to give some thought to reorganizing some of the boards by combining them or reducing them in size. He said he recently attended a conference that addressed millennials serving on boards.

Hernandez said he also was interested in scheduling a strategic planning retreat in May or June to start talking about the 2017 budget. He suggested May 13 or June 10 and said the retreat would take most of the day.

Commissioner Jurkovich asked how long the study session would take. Hernandez said around an hour at most.

Commissioner Tweedy said he would prefer to have the budget retreat starting at 9 a.m. June 10. Hernandez said it possibly could be held at Commissioner Warren's cabin west of Arkansas City. He said the results of the SCKMC sales tax vote would be known by then, which would make for a better discussion of long-term goals.

Mayor Oestmann made a motion to approve the resolution as amended, with the June 10 budget retreat added. Commissioner Tweedy seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Oestmann declared the motion approved and given Resolution No. 2016-05-3031.

## **Support for SCKMC Sales Tax** **Resolution No. 2016-05-3032**

Mayor Oestmann presented for discussion a resolution expressing support for the imposition of a citywide retailers' sales tax to benefit South Central Kansas Medical Center, to be submitted to the electors of the City in a special question submitted election on May 4, 2016.

He read the resolution, which also supports SCKMC CEO Virgil Watson and the hospital's Board of Trustees. It urges all citizens to vote "yes" to the tax and return their mail-in ballots in a timely manner.

# City Commission of Arkansas City Meeting Minutes

---

Commissioner Tweedy made a motion to approve the resolution. Commissioner Warren seconded the motion.

Commissioner Warren asked about the deadline to return ballots. City Manager Hernandez said it was May 24.

Commissioner Jurkovich said even though they had voted to put the tax on the ballot, he thought commissioners should vote for this resolution to show their support for the measure as the fairest option available to them.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved and given Resolution No. 2016-05-3032.

## **City Manager Updates**

City Manager Hernandez said the Arkansas City Convention and Visitors Bureau was having conversations with the Arkansas City Area Chamber of Commerce regarding the former's function and form. He promised to share more information as it is made available to him, but right now, he is waiting to see what comes of it.

Commissioner Warren asked if each entity had its own separate board. Hernandez said they did and added that had been the case since the CVB function was formed.

Hernandez also told commissioners that Union Pacific wanted \$30,000 for a piece of property the City needs in order to extend a waste line from the new Water Treatment Facility to the Wastewater Treatment Facility.

He said that property also was needed to link Cowley College to its Travis Hafner Training Center with an extension of the current hike-bike trail alongside the Mill Canal through central and southern Arkansas City.

Mayor Oestmann asked for a timeline. Hernandez said it needed to be sooner rather than later, but added that it could wait until the next meeting. City Attorney Niles said repeated negotiations to lower the price had failed.

Commissioner Tweedy asked if the City would pursue grants to extend the trail. Hernandez said it would, but that money would come too late to build the pipeline. He said more conversations were needed with the college.

## **Other Business**

Commissioner Tweedy said the Kansas Sampler Festival would be May 7-8 in Winfield and Commissioner Warren would be selling his wine there. Mayor Oestmann urged people to attend the festival and enjoy the music.

City Manager Hernandez reminded commissioners that June 3 will be PrairieFest at Wilson Park in Arkansas City.

## **Adjournment**

Commissioner Tweedy moved to adjourn the meeting. Commissioner Jurkovich seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the meeting adjourned at 6:25 p.m.

# City Commission of Arkansas City Meeting Minutes

---

THE ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS

\_\_\_\_\_  
Duane L. Oestmann, Mayor

ATTEST:

\_\_\_\_\_  
Lesley Shook, City Clerk

Prepared by:

\_\_\_\_\_  
Andrew Lawson, Public Information Officer